

#### BY EMAIL and RESS

Mark Rubenstein mark@shepherdrubenstein.com Dir. 647-483-0113

October 22, 2025 Our File: EB20240125

Ontario Energy Board 2300 Yonge Street 27th Floor Toronto, Ontario M4P 1E4

Attn: Ritchie Murray, Acting Registrar

Dear Mr. Murray:

## Re: EB-2024-0125 - Enbridge Gas 2023 ESM/DVA - SEC Cost Claim

We are counsel to the School Energy Coalition ("SEC"). Attached, please find the cost claim using the OEB's cost claim system.

This Application was unusual due to the OEB's concerns with, and ultimate rejection of, the Settlement Proposal, as reflected in the Decision on Settlement Proposal and Procedural Order No. 2, Procedural Order No. 3, and Decision on Settlement Proposal and Procedural Order No. 4. The undersigned, on behalf of SEC, acted as the coordinator and spokesperson for the intervenors during negotiations with Enbridge. As a result, additional time was required for the coordination and consolidation of intervenor comments and edits on the initial Settlement Proposal, as well as for coordination amongst the intervenors on the various joint letters from the parties filed with the OEB in response to the questions raised regarding that settlement. For cost claim purposes, all related time entries have been categorized under 'Preparation of Settlement Proposal'.

SEC also filed detail submissions on the proposed disposition of the GOCA account, which was relied upon by a number of other intervenors (CME, OGVG, and FRPO).

Additionally, we note where dockets include both reviewing evidence and preparing interrogatories, or reviewing interrogatory responses and preparing for the Settlement Conference, time has been allocated 50% to each applicable activity category. As a practical matter, these tasks are conducted concurrently and cannot be readily separated (e.g., interrogatories are prepared while reviewing evidence).

SEC submits that its participation in this proceeding was thorough and valuable and was designed to maximize its assistance to the OEB. Accordingly, SEC requests reimbursement of its reasonably incurred costs as set out in this letter and the attached documentation. These costs are commensurate with the bill impact on customers of the requested approval.



Yours very truly, **Shepherd Rubenstein P.C.** 

# Mark Rubenstein

Brian McKay, SEC (by email) Applicant (by email) CC:

# EB-2024-0125 : 1 : Mark Rubenstein

COST CLAIM NUMBER SUBMISSION DEADLINE DATE **CLAIM STATUS** 

2882 October 23, 2025 Submitted

EB# OTHER EB#S PHASE #\*

EB-2024-0125: Rates: Distribution: Enbridge Gas

Inc.

INTERVENOR

INTERVENOR COMPANY\*

INTERVENOR TYPE

Rubenstein, Mark; +1 (647) 483-0113 School Energy Coalition, Toronto:

mark@shepherdrubenstein.com

Corporation

Full Registrant

HST RATE ONTARIO **EXCHANGE RATE** COUNTRY

13.00

HST NUMBER LATE SUBMISSION ALLOWED **EXTENSION DEADLINE DATE** 

83673 5464 RT0001 No

**PARTICIPANTS Participant** Total (\$) Claim Total New Non-Filing Participant First, Last Name **Filing Participant Status** Hours Nο 16,023.85 46.80 Rubenstein, Mark; +1 (647) Submitted 483-0113 mark@shepherdrubenstein.c

### **ATTACHMENTS**

Attachment	Document Import Message Type
Cost Claim Cover.pdf	Cover
	Letter

TOTAL LEGAL/CONSULTANT/OTHER FEES TOTAL DISBURSEMENTS TOTAL HST 1,843.45

14,180.40 0.00

**TOTAL CLAIM TOTAL AMOUNT AWARDED** 16,023.85

TOTAL HOURS CLAIMED TOTAL HOURS DISALLOWED

46.80

**REASON FOR REASON FOR REASON FOR DISALLOWANCE DISALLOWANCE - 2 DISALLOWANCE - 3** 

MAKE CHEQUE PAYABLE TO

Shepherd Rubenstein Professional Corporation, in trust

SEND PAYMENT TO ADDRESS **ATTENTION** 

2200 Yonge Street **Suite 1302** Toronto, ON

M4S 2C6

### SUBMIT SECTION

I am a representative of the Party. I have examined all of the documentation in support of this cost claim. The costs incurred and time spent are directly related to the Party's participation in the OEB Process referred to above.

This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in section 6.05 and 6.09 of the OEB's Practice Direction on Cost Awards.

The information (fees and disbursements) filed in this cost claim is complete and accurate and in accordance with the OEB's Practice Direction for Cost Awards and Appendix A, the Cost Awards Tariff.

SUBMITTED BY Mark Rubenstein DATE SUBMITTED October 22, 2025

**CASE** 

EB-2024-0125: Rates:

Distribution: Enbridge Gas Inc.

**COST CLAIM** 

**PARTICIPANT** 

EB-2024-0125 : 1 : Mark

Rubenstein

INTERVENOR NAME

Rubenstein, Mark; +1 (647)

483-0113

mark@shepherdrubenstein.c

**FILING PARTICIPANT** 

Rubenstein, Mark; +1 (647)

483-0113

mark@shepherdrubenstein.com

**NEW** 

**NON-FILING** 

PARTICIPANT F. NAME

**NON-FILING** 

**PARTICIPANT** 

Submitted

**CLAIM STATUS** 

PARTICIPANT L. NAME

SERVICE PROVIDER TYPE\*

Legal Counsel

YEAR CALLED TO BAR\*

2011

**COMPLETED YEARS** PRACTICING/YEARS OF

**RELEVANT EXPERIENCE\*** 

12

**HST RATE CHARGED\*** 

13.00

**CV STATUS (FOR CONSULTANT/ANALYST)** 

**CV** Required

LAST CV DATE

**OVERRIDE** 

**HOURLY RATE** 

303

**HOURLY RATE** 

No

**HST NUMBER** 83673 5464 RT0001 **HEARINGS** 

Yes

**CONSULTATIONS** 

No

**DISBURSEMENTS** 

No

**HEARINGS** 

**Hearings Hours** 46.80

Hearings Subtotal (\$) 14,180.40

**Hearings Total Tax (\$)** 1,843.45

Hearings Total (\$) 16,023.85

**HST** Name Hourly Sub Total HST Total Hours Rate Rate **DISCOVERY** Read and Research Application and 2.65 303 802.95 13.00 104.38 907.33 Evidence Preparation of Interrogatories 2.05 303 621.15 13.00 80.75 701.90 **Review Interrogatory Responses** 1.10 303 333.30 13.00 43.33 376.63 **Technical Conference Preparation** 303 13.00 303 13.00 **Technical Conference Attendance** 13.00 Technical Conference Follow-up 303 Subtotal of DISCOVERY 5.80 1,757.40 228.46 1.985.86 **PROCEDURAL** Preparation of Issues List Submission 303 13.00 Attendance at Issues List Conference 303 13.00 Preparation for a Confidentiality Request 303 13.00 Prepare Submissions on Confidentiality 303 13.00 Preparation of Motion(s) Materials 303 13.00 Prepare Submissions on the Motion(s) 303 13.00 Attendance at Hearing on Motion(s) 303 13.00 **Review Procedural Documents** 1.00 303 303.00 13.00 39.39 342.39

<u>Name</u>		<u>Hours</u>	Hourly Rate	Sub Total	HST Rate	<u>HST</u>	<u>Total</u>
Subtotal o	of PROCEDURAL	1.00		303.00		39.39	342.39
INTERVENOR EN Preparatio	/IDENCE n of Intervenor Evidence		303		13.00		
Interrogato	ory Responses		303		13.00		
at Hearing	n of Witness(es) for Attendance	0.00	303	0.00	13.00	0.00	0.00
SETTLEMENT C		0.00		0.00		0.00	0.00
_	n for Settlement Conference	4.60	303	1,393.80	13.00	181.19	1,574.99
Attendance	e at Settlement Conference	17.00	303	5,151.00	13.00	669.63	5,820.63
Preparatio	n of Settlement Proposal	11.90	303	3,605.70	13.00	468.74	4,074.44
Attendance	e at Presentation to Panel		303		13.00		
Subtotal o CONFERE WRITTEN ARGU		33.50		10,150.50		1,319.56	11,470.06
Written Su		5.80	303	1,757.40	13.00	228.46	1,985.86
Subtotal o	of WRITTEN ARGUMENT	5.80		1,757.40		228.46	1,985.86
ORAL ARGUMEN Preparatio	<b>NT</b> n for Oral Hearing		303		13.00		
Attendance	e at Oral Hearing		303		13.00		
Oral Subm	nissions		303		13.00		
Attendance	e at Oral Submissions		303		13.00		
Subtotal o	of ORAL ARGUMENT	0.00		0.00		0.00	0.00
<b>DECISION</b> Review De	ocicion	0.40	303	121.20	13.00	15.76	136.96
	ate/Accounting Order	0.40	303	90.90	13.00	11.82	102.72
	ubmission on Rate Order	0.50	303	90.90	13.00	11.02	102.72
•	of DECISION	0.70	303	212.10	13.00	27.58	239.68
OTHER	DECISION	0.70		212.10		27.50	239.00
-	ndance (e.g., Intervenor es)		303		13.00		
Subtotal o	of OTHER	0.00		0.00		0.00	0.00
	PROVIDER FEES ice Provider Fees	46.80		14,180.40		1,843.45	16,023.85

Attachments

<u>Attachment</u> **Document Type** Import Message

Copy of EB-2024-0125 Client Fees

Listing.pdf

Time Docket

# **Hearings, Consultations, Disbursements Attachments**

Attachment
Copy of EB-2024-0125 Client Fees
Listing.pdf

Document Type
Time Docket

Claim Type Hearings **Import Message** 

20240628 20240703	and the Ministry		
20240703	review Notice	MR	0.2
	review Notice/emails	MR	0.2
20240705	prelim review of Applicaiton and file intervenor form	MR	0.4
20240722	review PO	MR	0.1
20240801	review Application/draft IRs	MR	3.5
20240802	emails	MR	0.1
20240818	email/review other parties IRs	MR	0.3
20240905	prelim review of IRR	MR	0.4
20240909	emails	MR	0.1
20240910	review PP sub	MR	0.1
20240911	review EG corr	MR	0.1
20240912	p. call w. Nick Daube re: settlement issues	MR	0.2
20240913	emails/review clarification questions/review IRR and prepare for	MR	1.2
	settlement		
20240914	review FRPO note/emails/review materials	MR	0.6
20240915	prepare for Settlement Conference	MR	0.7
20240916	attend Settlement Conference	MR	7.7
20240916	prepare for Day 2/p. call w. JG (CCC)	MR	0.4
	attend Settlement Conference	MR	5.3
20240917	many emails/p. call w. D. Stevens (EGD)/prepare for Day 3	MR	0.5
	attend Settlement Conference/p. call w. D. Stevens (EG)	MR	1
	review corr	MR	0.1
20240924	preliminary review of SP/emails	MR	0.2
20240925		MR	0.1
20240926	emails	MR	0.1
20240927	emails	MR	0.1
20240930	review SP and provide comments and edits/emails	MR	0.8
20241001		MR	0.1
20241005	emails	MR	0.1
20241008	review comments and edits and consolidated to return to EG	MR	0.4
	review settlement/emails/consolidated comments	MR	0.7
20241010		MR	0.3
20241017	review Staff submission	MR	0.2
20241119	review confidentiality decision	MR	0.1
	review corr	MR	0.1
	emails/review decision	MR	0.5
20250129		MR	0.2
20250201		MR	0.2
	emails/prepare for Settlement Conference/p. call w. L. Gluck (CCC) x2/p.	MR	1.6
	call w. Kent Elson (ED)		
	attend Settlement Conference	MR	3
	review EG draft letter/emails/provide significant edits and comments	MR	1.5

20250207	many emails re: letter	MR	0.3
	many emails/p. call w. J. Sidlofsky (Staff)	MR	0.5
	edit letter/many emails	MR	0.5
20250212	review EG reply to letter/emails	MR	0.2
20250213	emails/meeting with D. Stevens (EG) and K. Elson (ED)/review final	MR	1
	further ED edits to letter		
20250214	emails/review corr	MR	0.2
20250218	emails	MR	0.1
20250304	review PO/emails	MR	0.3
20250305	emails	MR	0.1
20250306	p. call w. KE (ED)/emails	MR	0.5
20250313	review EG draft letter and parties comments/many emails	MR	0.7
20250314	provide edits on letter/emails	MR	0.3
20250317	review and send letter back/emails	MR	0.6
20250318	emails/review final version	MR	0.2
20250527	review Decision on settlement/many emails	MR	0.4
20250528	many emails/p. call w. D. Stevens (EG)/p. call w. L.Gluck x2	MR	0.7
20250602	p. call w. D. Stevens (EG)/emails	MR	0.1
20250606	emails	MR	0.1
20250617	emails/prel. review of AC	MR	0.2
20250618	review Argument-in-Chief	MR	0.5
20250619	review record, consider issues, draft argument	MR	2.8
20250625	emails/review CC draft	MR	0.3
20250626	emails	MR	0.2
20250630	emails	MR	0.1
20250701	emails/review FRPO/EP/ED draft submissions	MR	0.6
20250702	finalize and file/review other parties sub	MR	0.7
20250704	Review CME sub	MR	0.1
20250716	review reply arg	MR	0.3
	review OEB Decision/emails	MR	0.4
	review DRO	MR	0.1
20251003	review Staff corr	MR	0.1
20251007	review EG DRO reply	MR	0.1
			46.8